

**FILED**

February 15, 2005

**NEW JERSEY STATE BOARD  
OF MEDICAL EXAMINERS**

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STATE OF NEW JERSEY  
 DEPARTMENT OF LAW & PUBLIC SAFETY  
 DIVISION OF CONSUMER AFFAIRS  
 BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE  
 SUSPENSION OR REVOCATION : Administrative Action  
 OF THE LICENSE OF

CONSENT ORDER

ERIC An LUBIN, M.D.

TO PRACTICE MEDICINE AND :  
 SURGERY IN THE STATE OF :  
 NEW JERSEY

This matter was opened to the New Jersey State Board of Medical Examiners ("Board") upon receipt of a Consent Order, effective on May 11, 2004, filed by the New York State Department of Health, State Board for Professional Medical Conduct ("New York Board") in which the respondent did not contest the first specification, negligence on more than one occasion, set forth in the Statement of Charges. Specifically, Respondent was charged with engaging in negligence on more than one occasion, in that Respondent, a radiologist, failed to render appropriate care and treatment to certain identified patients with respect to his reading of their MRI films. Pursuant to the New York Consent

**CERTIFIED TRUE COPY**

Order, Respondent's license to practice medicine is suspended for a period of 36 months, with the entire period of suspension to be stayed, to be served as a period of probation, subject to certain terms and conditions. Respondent has represented that he currently does not practice medicine in the State of New Jersey. The above action by the New York Board provides grounds for this Board to take action against respondent's medical License in New Jersey pursuant to N.J.S.A. 45:1-21(d) and (g).

The Board and Respondent seek to resolve this matter without resort to further proceedings, and recognizing that Respondent currently practices solely in the State of New York, and the Board finding the within Order is sufficiently protective of the public interest, and for good cause shown,

IT IS ON THIS 15th DAY OF Feb 2005,

ORDERED that:

1. Respondent's license to practice medicine and surgery in the State of New Jersey is hereby suspended for a period of three years, such suspension shall be stayed, to be served as a period of probation. The period of probation to run retroactive to and concurrent with the period of probation imposed by the New York State Department of Health, State Board for Professional Medical Conduct.

2. In the event Respondent accepts an offer of employment or intends to commence the practice of medicine in the

State of New Jersey, he shall provide the Board of Medical Examiners with written notice of his intention to commence the practice of medicine in *the* State of New Jersey and provide details pertaining to his employment position.

3. Upon a showing of successful completion of the three year period of probation in the State of New York respondent shall be fully reinstated to a non-restricted license in the State of New Jersey, without the requirement for any appearance before the State Board of Medical Examiners.

NEW JERSEY STATE BOARD OF  
MEDICAL EXAMINERS

By:



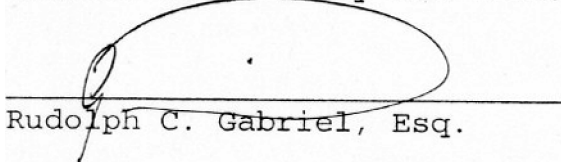
Bernard Robins, M.D., F.A.C.P.  
Board President

I have read and understand  
the within **Order** and **agree**  
to be bound by its terms.  
Consent is hereby **give** to  
the Board to enter this Order.



Eric A. Lubin, M.D.

Consent as to entry and form.



Rudolph C. Gabriel, Esq.